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3 **IN THE UNITED STATES DISTRICT COURT**

4 **FOR THE DISTRICT OF ARIZONA**

5 IN RE BARD IVC FILTERS
6 PRODUCTS LIABILITY LITIGATION

7 No. MD-15-02641-PHX-DGC

**MASTER SHORT FORM COMPLAINT
FOR DAMAGES FOR INDIVIDUAL
CLAIMS**

8 Plaintiff(s) named below, for their Complaint against Defendants named below,
9 Incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc # 364).
10 Plaintiff(s) further show the Court as follows:

11 1. Plaintiff/Deceased Party: MARIA B. SANCHEZ

12
13 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
14 consortium claim:

15 _____
16 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
17 conservator):

18 _____
19 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
20 the time of implant: NEW MEXICO

21 _____
22

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence: NEW MEXICO

7. District Court and Division in which venue would be proper absent direct filing:
UNITED STATES DISTRICT COURT, NEW MEXICO

8. Defendants (check Defendants against whom Complaint is made):

C.R. Bard Inc.

Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

Diversity of Citizenship

Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

Recovery® Vena Cava Filter

□ G2® Vena Cava Filter

- 1 G2® Express(G2®X) VenaCavaFilter
- 2 Eclipse® Vena Cava Filter
- 3 Meridian® Vena Cava Filter
- 4 Denali® VenaCavaFilter
- 5 Other: _____

6 11. Date of Implantation as to each product: September 16, 2015

7 _____
8 _____

9 12. Counts in the Master Complaint brought by Plaintiff(s):

- 10 Count IV: Negligence - Design
- 11 Count V: Negligence - Manufacture
- 12 Count VI: Negligence – Failure to Recall/Retrofit
- 13 Count VII: Negligence – Failure to Warn
- 14 Count VIII: Negligent Misrepresentation
- 15 Count IX: Negligence *Per Se*
- 16 Count X: Breach of Express Warranty
- 17 Count XI: Breach of Implied Warranty
- 18 Count XII: Fraudulent Misrepresentation

- Count XIII: Fraudulent Concealment
- Count XIV: Violations of Applicable TENNESSEE (insert state) Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- Count XV: Loss of Consortium
- Count XVI: Wrongful Death
- Count XVII: Survival
- Punitive Damages
- Other(s): _____ (please state the facts supporting this Count in the space immediately below)

RESPECTFULLY SUBMITTED this 20th day of December, 2016.

EXCOLO LAW, PLLC

By /s/ Keith L. Altman

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Attorneys for Plaintiffs

I hereby certify that on this 20th day of December 2016, I forwarded this document to the Clerk's Office via electronic filing.

By /s/ Keith L. Altman

Keith L. Altman